

SENATE BILL 638

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 10, Part 3, relative to enforcement of  
certain traffic offenses by municipalities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-308, is amended by  
designating the existing language as subsection (a) and by adding the following new subsection  
thereto:

(b)(1) Upon determining that a municipality having a population of ten thousand  
(10,000) or less, according to the 2010 federal census or any subsequent federal  
census:

(A) Is enforcing the rules of the road on interstates and defense highways  
without proper authority; or

(B) Has the proper authority to enforce the rules of the road on interstates  
and defense highways but is not complying with the rules promulgated by the  
department regarding such enforcement;

the commissioner may refuse to issue or may suspend for up to three (3) years the  
authorization for such municipality to enforce the rules of the road on the interstate  
highways.

(2) Suspension of authorization shall be made in writing and sent by certified  
mail, return receipt requested, to the chief law enforcement officer and the mayor of the  
municipality no less than thirty (30) days prior to the effective date of the suspension of  
authority.

(3) The municipal law enforcement agency shall have twenty (20) days from  
receipt of the suspension notification to provide proof to the department that the

municipal law enforcement agency was compliant with the rules promulgated by the department. Timely submission of proof to the department shall stay a suspension until the department has made a determination whether or not to rescind the suspension.

(4) If the proof submitted pursuant to subdivision (b)(3) is acceptable to the department, the commissioner shall inform in writing the chief law enforcement officer and mayor that the suspension is being rescinded.

(5) If the proof submitted pursuant to subdivision (b)(3) is not acceptable to the department, the commissioner shall inform the chief law enforcement officer and the mayor and the suspension of authorization shall be reinstituted.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.